

# House File 738 - Introduced

HOUSE FILE 738  
BY COMMITTEE ON NATURAL  
RESOURCES

(SUCCESSOR TO HSB 196)

## A BILL FOR

1 An Act relating to the possession and use of a firearm while on  
2 an electric scooter, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1.   NEW SECTION.   724.33   Possession and use of a  
2   firearm while on an electric scooter.

3     1.   For purposes of this section, "*electric scooter*" means a  
4   device that is equipped with handlebars and an electric motor,  
5   is designed for the rider to stand on a narrow platform that  
6   is slightly above the ground but may contain a seat, and is  
7   solely powered by a rider or by an electric motor capable of  
8   propelling the device without additional propulsion supplied by  
9   the rider at a maximum speed on a paved level surface of no more  
10  than twenty-four miles per hour, or both. "*Electric scooter*"  
11  does not include an electric personal assistive mobility  
12  device, a bicycle, or any vehicle including any motor vehicle  
13  as those terms are defined in section 321.1.

14    2.   *a.*   A person shall not operate or ride an electric  
15  scooter with a firearm in the person's possession unless the  
16  firearm is unloaded and enclosed in a carrying case, except as  
17  otherwise provided. However, a nonambulatory person may carry  
18  an unloaded and uncased firearm while operating or riding an  
19  electric scooter.

20    *b.*   (1)   A person may operate or ride an electric scooter  
21  with a loaded firearm, whether concealed or not, without a  
22  permit to carry weapons, if the person operates or rides on  
23  land owned, possessed, or rented by the person and the person's  
24  conduct is otherwise lawful.

25    (2)   A person may operate or ride an electric scooter with  
26  a loaded pistol or revolver, whether concealed or not, if the  
27  person is operating or riding the electric scooter on land  
28  that is not owned, possessed, or rented by the person, and the  
29  person's conduct is otherwise lawful.

30    *c.*   A person shall not discharge a firearm while on an  
31  electric scooter, except that a nonambulatory person may  
32  discharge a firearm from an electric scooter while lawfully  
33  hunting if the person is not operating or riding a moving  
34  electric scooter.

35    3.   A person who violates this section is guilty of a simple

1 misdemeanor punishable by a scheduled fine of one hundred  
2 thirty-five dollars.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with  
5 the explanation's substance by the members of the general assembly.

6 This bill relates to the possession and use of a firearm  
7 while on an electric scooter.

8 The bill defines "electric scooter" as a device that is  
9 equipped with handlebars and an electric motor, is designed  
10 for the rider to stand on a narrow platform that is slightly  
11 above the ground but may contain a seat, and is solely powered  
12 by a rider or by an electric motor capable of propelling the  
13 device without additional propulsion supplied by the rider at a  
14 maximum speed on a paved level surface of no more than 24 miles  
15 per hour, or both. "Electric scooter" does not include an  
16 electric personal assistive mobility device, a bicycle, or any  
17 vehicle including any motor vehicle as those terms are defined  
18 in Code section 321.1.

19 The bill prohibits a person from operating or riding an  
20 electric scooter with a firearm in the person's possession  
21 unless the firearm is unloaded and enclosed in a carrying case,  
22 except as provided by the bill when the person's conduct is  
23 otherwise lawful. The bill prohibits a person from discharging  
24 a firearm while on an electric scooter. The bill provides  
25 that a nonambulatory person may carry an uncased and unloaded  
26 firearm while operating or riding an electric scooter. The  
27 bill further allows a nonambulatory hunter to discharge a  
28 firearm from an electric scooter while lawfully hunting if the  
29 person is not operating or riding a moving electric scooter.

30 A person who violates the bill is guilty of a simple  
31 misdemeanor punishable by a scheduled fine of \$135.